

Exhibit 3

Filed Under Seal

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

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WAYMO LLC,

Plaintiff,

vs.

No. 3:17-cv-00939-WHA

UBER TECHNOLOGIES, INC.;

OTTOMOTTO LLC; OTTO TRUCKING,

INC.,

Defendants.

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WAYMO & UBER CONFIDENTIAL ATTORNEYS' EYES ONLY

VIDEOTAPED DEPOSITION OF CAMERON POETZSCHER

SAN FRANCISCO, CALIFORNIA

MONDAY, JUNE 19, 2017

BY: ANDREA M. IGNACIO,
CSR, RPR, CRR, CCRR, CLR
CSR LICENSE NO. 9830
JOB NO. 2642012

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1 important to have that control right away? 11:34

2 A I mean, it's the same reason we have control 11:34

3 over all of our other employees; right? They work for 11:34

4 us rather than as a third party. 11:34

5 In fact, in relation to what I told you about 11:34

6 the deal originally, in late 2015 it was a 11:34

7 customer/vendor relationship. And we shifted strategy 11:34

8 to say we'd rather have these people as employees. 11:34

9 Given that strategy, we'd rather have them as 11:34

10 employees sooner rather than later, all other things 11:34

11 being equal. 11:34

12 Q Why not just hire them as employees of Uber? 11:34

13 A That's essentially what we did; right. 11:34

14 Ultimately, we hired them. We paid \$100,000 in cash, 11:34

15 and we gave a commitment to issue up to 12 million 11:35

16 shares -- approximately 12 million shares of Uber 11:35

17 stock, contingent on meeting milestones. 11:35

18 [REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] 11:35

22 Q But what was -- was there a value add to 11:35

23 acquiring NewCo, and with it, the engineers, as 11:35

24 opposed to just hiring those engineers -- 11:35

25 MR. JACOBS: Objection -- 11:35

1 Q Who is Colin Seeberg? 16:32
2 A I don't know. 16:32
3 Q Who is Don Burnette? 16:32
4 A I know he's an employee of Otto. I recognize 16:32
5 the name. 16:32
6 Q And do you -- other than knowing he is an -- 16:32
7 an employee of Otto, do you know anything else about 16:32
8 him? 16:32
9 A No. 16:32
10 And when I say "employee of Otto," he's now 16:32
11 an employee of Uber, of course, but he was an employee 16:32
12 of Otto. 16:32
13 Q Right. 16:32
14 Was he formerly employed at Waymo? 16:32
15 A I don't know. 16:32
16 Q But for Soren and Colin, you don't know -- 16:32
17 you don't recognize those names as Otto employees? 16:32
18 A No. 16:32
19 Q And you don't recognize those names as 16:32
20 members of the team that Anthony Levandowski brought 16:32
21 to Otto? 16:32
22 A No. 16:32
23 Q And is it correct that, under the terms of 16:32
24 the indemnification agreement, Uber agreed to 16:32
25 indemnify the signatories in the event of certain 16:32